

## IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

MONTY C PEPPER

plaintiff

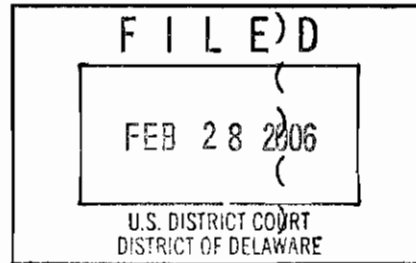
v

THOMAS CARROLL

BAMBI THOMAS

JAMES GARDELS

THOMAS SEACORD



C.A.No05-084 JJF

Plaintiff reply To Defendants objection to Plaintiff  
motion for Temporary Restraining order without notice  
and for Preliminary injunction and notice of Emergency  
injunction and summary judgement or relief.

Plaintiff request The "with draw" of (DI 12) "Temporary  
 Restraining order with out notice"

Plaintiff request a continuance as to (DI 8) where  
 due To denial of access To law library and The acts  
 of Mr Ed Johnson did cause prejudice and Plaintiff  
 can not copy or research To supply The court with evidence  
 which Plaintiff possess and copy To conform To Local  
 Federal District Court Rules. The Following explanation  
 is supplied To The court. affidavit and explanation

February 24 2006

A handwritten signature in dark ink, appearing to read "Monty C Pepper".

Monty C Pepper

1181 Paddock Rd

Smyrna Del 19977

State of Delaware )  
 ) SS.  
 County of New Castle )

Affidavit of: Monty Pepper  
 Dated: Feb 23 2006

## AFFIDAVIT

I, Monty Pepper, being first duly sworn deposes and says that the foregoing statement is a true and correct observation of what occurred on the above date herein at/in Law Library located in the Delaware Correctional Center, Smyrna, Delaware, in that I was a part of or witnessed the incident described herein. I would clearly state under penalty of perjury of the laws of the State of Delaware.

IT is 12:15 I requested additional Time To ansure The Defendants Objection To Plaintiffs motion For Temporary Restraining order without notice and For Preliminary Injunction ~~which~~ and Notice of emergency Motion injunction and/or summary Judgement or Relief which I Received on Feb 19 2006 Giving That Plaintiff has only 5 days To ansure where monday was a holaday Tuesday had regular appointment. Wendday Plaintiff had doctor appointment Thursday was given exTria Time in AM morning could not attend due To doctor appointment Though made regular appointment Plaintiff requesting additional Time on Fryday The dead line Plaintiff was "refused" where Copys can NOT be made a response can only be sent To court I was refused Time by Mr Johnson, and refused Copys of a generic opening Page as required By Rule 5.3 and Threaten To Kick me OUT

Affiant

Signature

Monty Pepper  
 Print Name

Delaware Correctional Center  
 Smyrna, Delaware 19977

SWORN TO AND SUBSCRIBED before me this 23 day of Feb, 2006.

My Commission Expires:

Edward Johnson  
 Notary Public

Letter To The Court

Affidavit

Plaintiff as to the following redacted reply  
as a inmate incarcerated in Delaware Correctional Center  
and as put forth in (DI 25) Writ of Mandamus that  
the Court considered a Motion for Permanent Injunction  
(DI 25)

Where on Thursday February 23 2006 Plaintiff  
requested Law Library Time on Friday The 24 2006 to  
complete and copy and send to the court.

The Plaintiff was told "no" by Ed Johnson who is  
in charge of law library. while leaving on Thursday  
2:20 pm Mr Ed Johnson calls the Plaintiff back as says  
"If your trying to intimidate me I'll Press Street charges  
on you. your not getting extra time."

Plaintiff had said nothing to Mr Ed Johnson and this  
was witnessed by four other inmates. This the Plaintiff  
considers a Threat were Mr Johnson can lie just as  
defendants have and Plaintiff has no recourse where  
inmates are not beleaved and there are no video and  
Audio Taped camras in D.C.C. For the safety of  
inmates from abuse such as this.

This morning at 9:30 or about Mr Ed Johnson

calls over to Plaintiff's building to allow the Plaintiff time even though he denied this the day before and also ~~on~~ on Tuesday, where Plaintiff asked for Friday Mr Ed Johnson said "you don't tell me when you can come I'll tell you"

The Plaintiff had gone to Medical for a dental where it was reseeded and if Mr Ed Johnson had given the Plaintiff an appointment, the Medical could have easily been reseeded. When Plaintiff returned at 11:00 "code green" he was told Johnson had called but it was too late to go (Sgt DeDo-)

Mr Johnson like this does this to all inmates he knew Tuesday 21 of the deadline Plaintiff on Thursday made an affidavit at 12:15 when he was refused access inclosed. And put a letter in to Mike Little and a grievance. Last night Feb 23 2006 have copies

The Local Federal Rules were only made known to the Plaintiff last week. Only Book 1 All Fed Rules were given to Plaintiff yet Plaintiff asked for District Court Rules. There is a systematic attempt to restrict inmates from attacking and presenting cases were even exhibits cannot be copied separate

Plaintiff states all statements made here in this affidavit are true

February 24 2006

  
Monty Pepper

IM m Pepper  
SBI# 156920 UNIT DW

DELAWARE CORRECTIONAL CENTER

1181 PADDOCK ROAD

SMYRNA, DELAWARE 19977

U.S. MAIL  
X-RAY



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United States District Court  
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19801